

REMARKS

This paper is filed in response to the Office Action mailed on November 14, 2003. Claims 1-30, 38-41, 44, and 45 are currently pending in the application. Claims 1-30, 38-41, 44, and 45 have been examined and stand rejected. Reconsideration of Claims 1-30, 38-41, 44, and 45 is respectfully requested.

The Rejection of Claim 44 Under 35 U.S.C. § 112, Second Paragraph

Claim 44 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Examiner states that "Claim 44 is indefinite in calling for a method for making castings when in fact no steps are recited to actually make the castings--i.e., the claim is directed only to treating the mold."

Applicants respectfully traverse the rejection. As originally submitted, Claim 44 recited a step for "treating a mold with a solution comprising a release agent, wherein the solution has a pH that induces an attracting force on an oxide surface of the mold to bond the release agent to the surface." Such step is clearly one used in a method for making castings from oxide-coated molds as claimed. Therefore, contrary to the Examiner's contention, a step for making castings was recited.

In any event, Claim 44 has been amended to incorporate using the treated mold to shape curable resin to provide a casting from the treated mold, so the amendment is made in accordance with the disclosure. This amendment is being made to expedite an early Notice of Allowance, and not for any reason related to patentability.

Accordingly, applicants respectfully request withdrawal of the rejection of Claim 44.

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The Rejection of Claims 1-30, 38-41, 44, and 45 Under Obviousness-Type Double Patenting

Claims 1-30, 38-41, 44, and 45 are provisionally rejected under the judicially created doctrine of double patenting over Claims 1-26 of co-pending Application No. 09/769,014. Applicants respectfully traverse the rejection for the following reasons.

It appears from information available to applicants that the Application No. 09/769,014 is no longer pending as of January 3, 2003. Accordingly, for a provisional rejection under obviousness-type double patenting based on a pending application, the applications must, in fact, be co-pending. Because the Application No. 09/769,014 is no longer pending, applicants believe the obviousness-type double patenting rejection of Claims 1-30, 38-41, 44, and 45 is no longer applicable to the claims at issue.

Accordingly, applicants respectfully request the withdrawal of the rejection of Claims 1-30, 38-41, 44, and 45.

Even despite the mootness of the rejection, applicants believe the claims in the present application are nonetheless distinct and nonobvious from the claims of Application No. 09/769,014.

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CONCLUSION

In view of the foregoing amendment and remarks, applicants respectfully submit that Claims 1-30, 38-41, 44, and 45 are allowable. If there is any further question or comment that will expedite the issuance of a Notice of Allowance, the Examiner is invited to contact the applicants' attorney at the number provided below.

Respectfully submitted,

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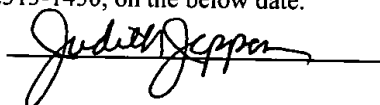


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